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4 **IN THE UNITED STATES DISTRICT COURT**

5 **FOR THE DISTRICT OF ARIZONA**

6 **Shaine Carl Cagle,**

7 **Petitioner,**

8 **vs.**

9 **Charles L. Ryan, et al.,**

10 **Defendants.**

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) **CV-16-111-TUC-DCB**

) **ORDER**

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12 Magistrate Judge Bowman issued her Report and Recommendation on 1/18/2017,

13 recommending that the District Court deny the Second Amended Petition for Writ of Habeas

14 Corpus and dismiss the action with prejudice. A copy was sent to all parties on 1/18/2017,

15 notifying all parties that written objections must be filed within fourteen days of service. 28

16 U.S.C. §636(b). No objections to the Magistrate Judge's Report and Recommendation have

17 been filed. Consequently, any objections that have not been raised are waived and will not

18 be addressed by the Court.

19 The Court, having made an independent review of the record, rules as follows:

20 IT IS ORDERED that Magistrate Judge Bowman's Report and Recommendation

21 (Doc. 49) is ACCEPTED and ADOPTED by this Court as the findings of fact and

22 conclusions of law.

23 IT IS ORDERED that the Second Amended Petition for Writ of Habeas Corpus is

24 DENIED (Doc. 33) and this action is dismissed with prejudice in favor of Defendants. The

25 Clerk's Office is directed to enter a separate Final Judgment in accordance with this Order.

26 This action is terminated.

27 DATED this 23<sup>rd</sup> day of February, 2017.

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David C. Bury  
United States District Judge